APPENDIX A.

The Honorable Joseph B. Eastman, in his testimony before the committee on Interstate and Foreign Commerce of the House of Representatives, made the following statement:

"Another difficulty with the present law, even where an adjustment board has been established, is that, although its decisions are final and binding upon both parties, there can be no certainty that there will be a decision. The two sides are now evenly represented on these boards, and hence deadlocks are a very distinct possibility. Not only are they possible, but they have occurred in a large number of cases, and of late there has been a continually growing tendency toward such deadlocks. The number now existing runs into the hundreds."

APPENDIX B.

It is worthy of note in this case that M. V. Clement, who appeared before the House Committee on Interstate and Foreign Commerce in opposition to the enactment of the Railway Labor Act, his appearance being as representative of the carriers, proposed an amendment to the bill as follows:

"Provided that no board, created under the provisions of this Act, shall consider a grievance of any character, the cause of which arose more than two years prior to the effective date of this Act."

On page 138 of the House Hearings, Mr. Clement said:

"We definitely recommend a statute of limitations for these Boards of Adjustment."

APPENDIX C.

Of further interest is the report of the Committee on Administrative procedure, appointed by the Attorney General of the United States, at the request of the President, submitted January 22nd, 1941, under letter of transmittal, dated January 24, 1941. Senate Document No. 8:

"LIMITATION UPON TIME FOR FILING CLAIMS: Under present statutory provisions there is no limitation upon the time within which claims must be asserted by employees who maintain that their contractual rights have been violated by a carrier. The absence of a limitation has resulted, in exceptional instances, in the filing of claims for acts allegedly committed as much as fifteen years previously. It is within the power of the Board itself to establish time limitations which would protect against the assertion of stale claims. In the absence of appropriate action by the Board, it is recommended that the Railway Labor Act be amended to require that claims, in order to be cognizable by the Board, be filed within a period not later than one year following the act or acts against which complaint is made."

APPENDIX D.

The amended complaint was filed January 25, 1940 (R. 6); although the original complaint had been filed long prior thereto. The Revised Civil Code of Louisiana, Chapter 3, Articles 3528 through 3544, provide liberative prescriptions (discharging the debtor) of one year (Articles 3534-3537 inclusive); of three years (Articles 3538-3539 inclusive); of five years (Articles 3540-3543 inclusive); and of ten years (Article 3544). Many obligations are specified under the prescriptions of one, three and five years, among which are not suits on written contracts, such as the present. Suits on written contracts are covered by the following:

"ARTICLE 3544, TEN YEARS: In general all personal actions, except those before enumerated, are prescribed by ten years."